

**UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ILLINOIS
WESTERN DIVISION**

JEANNE FEDOR,

Plaintiff,

V.

METROPOLITAN LIFE INSURANCE
COMPANY and THE HOME DEPOT
LONG TERM DISABILITY PLAN.

Defendants.

Case No. 08 C 50039

The Hon. Judge Kapala

Magistrate Judge Mahoney

UNOPPOSED MOTION FOR EXTENSION OF TIME WITHIN WHICH TO FILE RESPONSIVE PLEADING

Defendants The Metropolitan Life Insurance Company (“MetLife”) and The Home Depot Long Term Disability Plan (“Plan”) (collectively, “Defendants”), move this Court for an extension of time within which to file their response to Plaintiff’s class complaint in the above-captioned action, to and including June 6, 2008. In support of its Motion, Defendants state as follows:

1. On or around March 13, 2008 Plaintiff Jeanne Fedor (“Plaintiff”) filed the Complaint.
2. MetLife was served with a summons and the Complaint on or around April 17, 2008 and the Plan was served on or around April 25, 2008.
3. The Complaint purports to state a cause of action under ERISA §502(a)(1)(B) (29 U.S.C. §1132(a)(1)(B)) arising from a termination of benefits under the Plan.
4. Defendants require additional time to review both the claims set forth in Plaintiff’s Complaint and the Administrative Record in order to appropriately respond to the Complaint, and respectfully requests an additional thirty (30) days to do so.

5. Counsel for Defendants has communicated with Plaintiffs' counsel regarding the requested extension. Plaintiffs' counsel has no objection to the requested extension.

WHEREFORE, Defendants Metropolitan Life Insurance Company and The Home Depot Long Term Disability Plan respectfully request an additional thirty (30) days, up to and including June 6, 2008 in which to plead, move, answer or otherwise respond to Plaintiffs' Complaint.

Respectfully submitted,

METROPOLITAN LIFE INSURANCE
COMPANY and THE HOME DEPOT LONG
TERM DISABILITY PLAN

By: /s/ Steven P. Mandell
One of Its Attorneys

Steven P. Mandell (ARDC #6183729)
Brendan J. Healey (ARDC #6243091)
Natalie A. Harris (ARDC #6272361)
Mandell Menkes LLC
333 W. Wacker Drive, Ste. 300
Chicago, IL 60606
Tel: (312) 251-1000